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Notice of Allowability	Application No.	Applicant(s)
	10/615,853	YUMIBA ET AL.
	Examiner	Art Unit
	Jorge L Ortiz-Criado	2655
The MAILING DATE of this communication appears on the cover sheet with the correspondence address All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS. This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.		
1. This communication is responsive to <u>Response to non-final action, filed 10/14/2004</u> .		
2. The allowed claim(s) is/are <u>1 and 2</u> .		
3. The drawings filed on 10 July 2003 are accepted by the Examiner.		
 4.		
* Certified copies not received:		
Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.		
5. A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.		
6. CORRECTED DRAWINGS (as "replacement sheets") must be submitted.		
(a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached		
1) hereto or 2) to Paper No./Mail Date		
(b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date		
Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).		
7. DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.		
Attachment(s)		
1. Notice of References Cited (PTO-892)	5. Notice of Informal P	Patent Application (PTO-152)
2. \square Notice of Draftperson's Patent Drawing Review (PTO-948)	6. Interview Summary	(PTO-413),
3. Information Disclosure Statements (PTO-1449 or PTO/SB/0	Paper No./Mail Da 08), 7. ☐ Examiner's Amendr	te nent/Comment
Paper No./Mail Date 10/14/2004 4. Examiner's Comment Regarding Requirement for Deposit	8. 🛛 Examiner's Stateme	ent of Reasons for Allowance
of Biological Material	9. Other	
same green material	- <u> </u>	

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DETAILED ACTION

Allowable Subject Matter

- 1. Claims 1-2 allowed.
- 2. The following is an examiner's statement of reasons for allowance:

The prior art of record teaches an apparatus for reproducing information recorded on an optical disk which is provided for recording data of a signal modulated according to a predetermined modulation method in a form of concavo-convex pits and teaches said optical disk with an area having a reflecting film partly removed or said area recorded with pits which are different from pits satisfying requirements of said predetermined modulation method.

Applicant's claimed invention is deemed allowable over the prior art of record as the prior art fails to teach or suggest either alone or in combination where an apparatus for reproducing information recorded on an optical disk which is provided for recording data of a signal modulated according to a predetermined modulation method in a form of concavo-convex pits, said optical disk provided with a first area having a reflecting film partly removed, and provided with a second area for recording pits which are different from pits satisfying requirements of said predetermined modulation method, specifically the apparatus comprises a first and second comparator for comparing the reproduced signal from said optical disk upon reproducing information recorded in said second area, with a predetermined first and second threshold values, outputting a first and second comparison result signal, wherein said first area detecting circuit judges whether or not said first area is detected in accordance with whether

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or not a first number of data from a predetermined sector address to said detected first area, which is counted based on the reproduced signal from said optical disk upon reproducing information recorded on a track including said first area, substantially coincides with a second number of data from said predetermined sector address to said detected first area, which is counted based on a reproduced signal from said optical disk upon reproducing information recorded on a further track including said first area and adjacent to said track.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jorge L Ortiz-Criado whose telephone number is (703) 305-8323. The examiner can normally be reached on Mon.-Thu.(8:30 am - 6:00 pm), Alternate Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Doris H To can be reached on (703) 305-4827. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

joc

DAVID L. OMETZ PRIMARY EXAMINER